

AKIMOTO *et al.*, SN 09/975,934RCE  
Amdt. dated 3 August 2004  
Reply to OA dated 3 May 2004

Dkt. 520.35114CX1/6755-2  
Page 13

### REMARKS

This Amendment is responsive to the Office Action Identified above, and is further responsive in any manner indicated below.

### CORRECTION TO THE SPECIFICATION AND ABSTRACT

The Abstract has been amended to be more descriptive of the claimed invention. The specification has been amended to correct a transposition in the text. More specifically, Applicant's specification states, "By A/D (*sic.*) converting the moving image data, the moving image signal output circuit 43 generates a signal voltage to be inputted to each of the selected display pixels and applies the signal voltage to the signal line 45. The signal voltage is inputted to the TN liquid crystal capacitor 49 via the TFT switch 48" (specification, page 13, lines 7-13, emphasis added). This indicates that the moving image signal output circuit 43 produces the analog signal voltages to be applied across the capacitor 49 from the digital data. Further, the specification at page 16, lines 12-21 states the accuracy of the moving image signal output circuit 43, and that of the still image signal output circuit 41 are 6 bits and 8 bits, respectively. It is known that signal voltages applied to liquid crystal pixels represented by multiple bits are generally in analog form, and this fact is described in the prior art literature cited in the specification of this application. As explained in the specification in connection with FIG. 1, supplied to the write signal generating circuit 17 are the outputs from the moving image decoder 3, the still image memory 6, the outline font generating circuit 9, and the icon/window generating circuit 13, and therefore it is easily understood that those image data outputs are in digital form. No new matter is added.

AKIMOTO *et al.*, SN 09/975,934RCE  
Amdt. dated 3 August 2004  
Reply to OA dated 3 May 2004

Dkt. 520.35114CX1/6755-2  
Page 14

Entry and approval of the amendments are respectfully requested.

### PENDING CLAIMS

Claims 1-23 were pending in the application at the time of filing of the Appeal in this application. Unrelated to any prior art, scope or rejection, appropriate Claims have been amended or added in order to adjust a clarity and/or focus of Applicant's claimed invention. Support for the new Claims 24-30 is found throughout the application as filed, *e.g.*, at page 7, lines 15-17 and page 9, lines 4-21 in connection with FIG.s 1-3, and at page 18, lines 6-15 in connection with FIG 6. Such changes are unrelated to any prior art or scope adjustment, and are simply clarified claims in which Applicant is presently interested. At entry of this paper, Claims 1-30 are pending in this RCE application for consideration and examination.

### 35 USC §112, 1<sup>ST</sup> PARAGRAPH REJECTION - TRAVERSED

Claims 16, 28 (should be 18 in Office Action), 20 and 22 have been rejected under 35 USC §112, first paragraph, for the concerns listed within the section numbered "2" on page 2 of the Office Action. Traversal is appropriate.

More specifically, the first paragraph of 35 USC §112 states in relevant *verbatim*, "the specification shall contain a written description of the invention...as to enable any person skilled in the art...to make and use the same...." Applicant's FIG. 2, for example, illustrates that Applicant's claimed "selecting circuit" may be implemented by an "AND gate" 47. It is well known in the general electronics art that an "AND" gate can be implemented using analog circuitry or using digital circuitry, and in fact, it is respectfully submitted that most (if not all) graduating electronics

AKIMOTO *et al.*, SN 09/975,934RCE  
Amdt. dated 3 August 2004  
Reply to OA dated 3 May 2004

Dkt. 520.35114CX1/6755-2  
Page 15

college students could easily implement an "AND" gate *via* analog circuitry. The present rejection may reflect a misunderstanding that an "AND" gate can only be implemented *via* digital circuitry. MPEP §2163 states in relevant *verbatim*, "Information which is well known in the art need not be described in detail in the specification" (emphasis added), but if requested to improve the Examiner's personal knowledge, Applicant and the undersigned are willing to submit documentation in the form of college textbook pages and/or issued patents, should the USPTO require proof of Applicant's AND/analog-circuitry contention. It is respectfully submitted that if constructing an analog "AND" gate is within the abilities of a college student, it certainly is well within the abilities of one skilled in the art of the present invention.

To conclude, given that those skilled in the art know from basic electronics knowledge that "AND" gates can be easily implemented *via* analog circuitry, and given that Applicant's FIG. 2 illustrates that the claimed "selecting circuit" is in the form of an "AND" gate, then it is respectfully submitted that Applicant's patent specification describes the claimed invention in sufficient detail such that one skilled in the art can reasonably conclude that the inventor had possession of the claimed invention which could be implemented *via* analog circuitry.

In the event the present "written description" rejection is continued, it is respectfully noted that the USPTO has the initial burden of presenting evidence or reasons *why* persons skilled in the art would not recognize in the disclosure a description of the invention defined by the claims. It is respectfully submitted that the 3 May 2004 Office Action does not satisfy such burden, i.e., the Office Action rejection provides no evidence or reasoning, but instead, insufficiently recites only a conclusionary statement without support.

AKIMOTO *et al.*, SN 09/975,934RCE  
Amdt. dated 3 August 2004  
Reply to OA dated 3 May 2004

Dkt. 520.35114CX1/6755-2  
Page 16

As a result of all of the foregoing, reconsideration and withdrawal of the §112, 1<sup>st</sup> paragraph rejection are respectfully requested.

**NON-STATUTORY DBL PAT. REJECT. - STAT. DISCLAIMER MAY BE FILED**

The obviousness-type double patenting rejection of claims 1-15, 17, 19, 21 and 23 as set forth within the page 3, section numbered "4" of the Office Action is respectfully traversed. If after review of this paper, the application is otherwise in condition for allowance, the Examiner is invited to telephone the undersigned at the local D.C. area number of 703-312-6600, for the purpose of inquiring as to whether Applicant would be agreeable to the immediate filing of a Statutory Disclaimer in order to quickly move the application to allowance.

The above statements or the filing of any Statutory Disclaimer should not be taken as an indication or admission that the rejection was valid, but is merely use of a procedural approach to obviate the rejection. Further, at this point, it is respectfully submitted as a reminder that, if new art is now cited against any of Applicant's unamended claims, then it would not be proper to make a next Action final.

**"KUGA"-BASED REJECTIONS UNDER 35 USC 102/103 - TRAVERSED**

All 35 USC §§102/103 rejections utilizing Kuga (US 5,546,104 A) are respectfully traversed. All descriptions of Applicant's disclosed and claimed invention, and all descriptions and rebuttal arguments regarding the applied prior art, as previously submitted by Applicant in any form, are repeated and incorporated herein by reference. Further, all Office Action statements regarding the prior art

AKIMOTO *et al.*, SN 09/975,934RCE  
Amdt. dated 3 August 2004  
Reply to OA dated 3 May 2004

Dkt. 520.35114CX1/6755-2  
Page 17

rejections are respectfully traversed. As additional arguments, Applicant respectfully submits the following.

More particularly, Applicant and the Undersigned are fairly surprised at the Kuga-based rejections, given that Kuga was basically previously overcome within ancestor Application No. 09/043,534 through adoption of the Examiner's own suggestions (without prejudice or disclaimer). Given that present claims very closely parallel 09/043,534's patented claims, it is respectfully submitted that Applicant's present claims are patentable over Kuga-based rejections for the same reasons that the Examiner previously found that 09/043,534's claims patentably distinguished.

Beyond the Examiner's reasons for allowance of the patented claims, it is respectfully noted that Kuga's arrangements do not include selecting addresses in a column (vertical) direction. That is, Kuga's FIG. 1's vertical lines 1 are "signal electrodes" driven by a source driver 7 to drive a voltage video signals into the dot electrode 4. Kuga's FIGS. 2 and 3 likewise appear to have similar driving arrangements.

Accordingly, Kuga does not disclose or suggest Applicant's features/limitations of "...wherein an image data input circuit inputs image data into the image display part by selecting addresses in a row direction and a column direction of the display pixel array so that the display pixel array has two neighboring areas having different frame rates ( $> 0$ );...wherein the display pixel array includes row direction address lines and column direction address lines; and wherein display pixels of the display pixel array each include a selecting circuit which is connected to one of the row direction address lines and one of the column direction address lines, and useable to select a display pixel." As opposed to being able to use row and column address

AKIMOTO *et al.*, SN 09/975,934RCE  
Amdt. dated 3 August 2004  
Reply to OA dated 3 May 2004

Dkt. 520.35114CX1/6755-2  
Page 18

lines to select "a display pixel," note from Column 2, lines 49-53, that Kuga includes a driver arrangement which "...applies a video signal to each of the dots, i.e., 640 dots, on the line selected by the gate driver." Accordingly, Kuga's arrangement drives pixels for an entire selected line. That is, there is no column addressing.

As a result of all of the foregoing, it is respectfully submitted that the applied art (taken alone and in any Office Action combination) would not support any Kuga-based §§102/103 rejection of Applicant's claims. Accordingly, reconsideration and withdrawal of such rejections, and express written allowance of all Kuga-based rejected claims, are respectfully requested. Further, at this point, it is respectfully submitted as a reminder that, if new art is now cited against any of Applicant's unamended claims, then it would not be proper to make a next Action final.

**"OKUMURA *et al.*"-BASED REJECTIONS UNDER 35 USC §102 - TRAVERSED**

All 35 USC §§102/103 rejections utilizing Okumura *et al.* (US 5,945,972 A) are respectfully traversed. More particularly, given that Applicant's International §371 filing date is 20 September 1995, and Okumura *et al.*'s effective filing date has a later date of 27 November 1996, it is respectfully submitted that Okumura *et al.* is not valid prior art against the present application.

Accordingly, reconsideration and withdrawal of such rejections, and express written allowance of all Okumura *et al.*-based rejected claims, are respectfully requested. Further, at this point, it is respectfully submitted as a reminder that, if new art is now cited against any of Applicant's unamended claims, then it would not be proper to make a next Action final.

AKIMOTO *et al.*, SN 09/975,934RCE  
Amdt. dated 3 August 2004  
Reply to OA dated 3 May 2004

Dkt. 520.35114CX1/6755-2  
Page 19

### **SUPPORT FOR SUBSTITUTE/ADDED CLAIMS**

In order to preclude renewal of any previous 35 USC rejections with respect to substitute/added (*i.e.*, clarified/refocused) Claims 24-30, Applicant respectfully submits the following.

All descriptions of Applicant's disclosed and claimed invention, and all descriptions and rebuttal arguments regarding the applied prior art, as previously submitted by Applicant in any form, are repeated and incorporated herein by reference. Further, all Office Action statements regarding the prior art rejections are respectfully traversed. As additional arguments, Applicant respectfully submits the following.

In order to properly support a §102 anticipatory-type rejection, any applied art reference must disclose each and every limitation of any rejected claim. The applied art does not adequately support a §102 anticipatory-type rejection because, at minimum, such applied art does not disclose (or suggest) the following discussed limitations of Applicant's claims.

Applicant's claims (Claim 24, for example), "wherein a moving image signal output circuit and a still image signal output circuit which output image data to said display pixel array are provided as circuit configurations independent of each other." As one example, Applicant's FIG. 2 example embodiment shows still image circuits 41, 42 and 51, and independent moving image circuits 43, 44 and 52. None of the references of record, whether taken alone, or in combination, disclose or suggest such arrangement. For example, Kuga's source driver 9 appears not to have independent circuits.

AKIMOTO *et al.*, SN 09/975,934RCE  
Amdt. dated 3 August 2004  
Reply to OA dated 3 May 2004

Dkt. 520.35114CX1/6755-2  
Page 20

In addition to the foregoing, the following additional remarks from Applicant's foreign representative are also submitted in support of traversal of the rejection and patentability of Applicant's claims.

The invention of Claims 24, 25 and 27 is described at page 9, lines 4-21 in connection with FIG. 2. The invention of Claim 26 is described at page 18, lines 6-15 in connection with FIG. 6, and the invention of Claim 28 is described at page 9, lines 4-21 in connection with FIGs. 1 and 2. The invention of Claim 29 is described at page 9, lines 4-21 in connection with FIGs. 2 and 3, and the invention of Claim 30 is described at page 7, lines 15-17 and page 9, lines 4-21 in connection with FIG. 2.

As a result of all of the foregoing, it is respectfully submitted that the applied art would not support a §102 anticipatory-type rejection or §103 obviousness-type rejection of Applicant's claims. Accordingly, express written allowance of all of the substitute/added claims, are respectfully requested.

#### **RESERVATION OF RIGHTS**

It is respectfully submitted that all claim amendments and/or cancellations submitted throughout prosecution of the present application are without prejudice or disclaimer of any scope or subject matter. Further, Applicant respectfully reserves all rights to file subsequent related application(s) (including reissue applications) directed to any/all claimed limitations/features which have been subsequently amended or cancelled, or to any/all limitations/features not yet claimed, *i.e.*, Applicant continues (indefinitely) to maintain no intention or desire to dedicate or surrender any limitations/features of the present application to the public.



AKIMOTO *et al.*, SN 09/975,934RCE  
Amdt. dated 3 August 2004  
Reply to OA dated 3 May 2004

Dkt. 520.35114CX1/6755-2  
Page 21

### EXAMINER INVITED TO TELEPHONE


The Examiner is invited to telephone the undersigned at the local D.C. area number of 703-312-6600, to discuss an Examiner's Amendment or other suggested action for accelerating prosecution and moving the present application to allowance.

### CONCLUSION

In view of the foregoing amendments and remarks, Applicant respectfully submits that the claims listed above as presently being under consideration in this RCE application are in condition for allowance. Accordingly, early allowance of such claims is respectfully requested.

This Amendment is being filed within the shortened statutory period for response to the 3 May 2004 Office Action, and therefore, no Petition is required for entry and consideration of this paper. To whatever other extent is actually necessary and appropriate, Applicant respectfully petitions the Commissioner for an extension under 37 CFR §1.136. A Form PTO -2038 authorizing payment of the additional claims fee is attached hereto. Please charge any actual shortage in fees due for this paper to ATS&K Deposit Account No. 01-2135 (Case No. 520.36114CX1).

Respectfully submitted,



Paul J. Skwierawski  
Registration No. 32,173  
ANTONELLI, TERRY, STOUT & KRAUS, LLP  
1300 North Seventeenth Street, Suite 1800  
Arlington, Virginia 22209-3801, USA  
Telephone 703-312-6600  
Facsimile 703-312-6666

Attachment:  
Form PTO-2038 (Codes 1201/1202)